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January 8, 2025

VIA ECF

Hon. Pamela K. Chen
United States District Court Eastern District of New York
225 Cadman Plaza East, Room N631
Brooklyn, New York 11201

Re: Michael Grecco Productions, Inc. v. Alamy Inc. et al. Case No. 1:23-cv-08321-PKC-JAM

Dear Judge Chen:

On behalf of plaintiff Michael Grecco Productions, Inc. (“MGPI”), I write to inform the Court that MGPI withdraws and will not pursue a claim of copyright infringement and violation of the Digital Millennium Copyright Act (“DMCA”) included in the Second Amended Complaint against Alamy Inc. and Alamy Ltd. (“the Alamy Defendants”) and PictureLux based upon the image listed as number 12 in Exhibit D to the Second Amended Complaint (Dkt. 69).

For clarity, MGPI does not seek dismissal of any Count asserted against the Alamy Defendants, or Picturelux. MGPI continues to pursue its claims for copyright infringement, both direct and indirect, and violation of the DMCA against the Alamy Defendants (Dkt. 69, Second Am. Compl. First through Third Claims) and both direct and indirect copyright infringement against PictureLux (*Id.* at Fourth and Fifth Claims). Plaintiff no longer alleges that its claims against these Defendants are based on the image listed as number 12 in Exhibit D.

We remain available to address any further question the Court may have regarding this issue.

Sincerely,

/s/ Steven M. Cowley

cc: All counsel of record (*via ECF*)